

REMARKS

Reconsideration of the application in view of the present amendment is respectfully requested.

Claims 2-5, 24, 25, and 29-36 are canceled. Claims 1, 6, 9, and 26-28 are amended. Accordingly, claims 1, 6, 9, and 26-28 are pending.

Applicant would like to point out that the rejection of claims 1, 6, 9, and 26-28 of the present application is improper for at least the following reasons.

Applicant would like to point out that each of claims 1, 6, 9, and 26-28 is amended to include subject matter recited in each of claims 2 and 3 which are now canceled. Each of claims 2 and 3 was directed to an additional device (i.e., a second mobile computing device) which belongs to another user (i.e., a second user). In this regard, Applicant notes that the Office cites certain portions of Freeny, Jr. ("Freeny") to reject claims 2 and 3 of the present application. More specifically, the Office cites the Abstract; Figures 7, 10, 21; column 17, line 35 to column 18, line 50; and column 33, lines 34-57 of Freeny. However, Applicant would like to point out that none of these cited portions of Freeny discloses or suggests an ATM which is wirelessly communicating with a mobile computing device of one user who is not currently interacting with the ATM while the ATM is communicating with another mobile computing device of another user who is currently interacting with the ATM to conduct a transaction at the ATM. The portions of Freeny cited by the Office disclose an ATM which is communicating with only one user at a time at the ATM.

If the Office continues to reject 1, 6, 9, and 26-28 of the present application by applying Freeny, it is respectfully request that the Office specifically point out where Freeny discloses an ATM which is wirelessly communicating with a mobile computing device of one user who is not currently interacting with the ATM while the ATM is communicating with another mobile computing device of another user who is currently interacting with the ATM to conduct a transaction at the ATM. Absent an adequate explanation, it is respectfully

submitted that the rejection of claims 1, 6, 9, and 26-28 of the present application is improper and, therefore, should be withdrawn.

In view of the foregoing, it is submitted that the application is in condition for allowance, and allowance of the application is respectfully requested.

Respectfully submitted,



Michael Chan  
Reg. No. 33,663  
Attorney for Applicant

NCR Corporation, Law Department, WHQ-3E  
1700 S. Patterson Blvd., Dayton, OH 45479-0001  
Tel. No. 937-445-4956/Fax No. 937-445-6794

OCT 22 2009